

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF NEW MEXICO

STATE OF NEW MEXICO <i>ex rel.</i>	)	
State Engineer, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	69cv07941-BB-ACE
	)	
v.	)	RIO CHAMA ADJUDICATION
	)	
ROMAN ARAGON, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**UNITED STATES' STATUS REPORT**  
**ON WILD AND SCENIC RIVER SETTLEMENT**

This is the Status Report, requested by the Special Master at the September 27, 2010 scheduling conference, on the United States' approval process for the proposed settlement of the United States' federal reserved water right for the Rio Chama Wild and Scenic River (WSRA water right). As the United States reported during the status conference, the United States has reached agreement with the State, the Rio Chama Acequias Association and the Asociacion de Acequias Norteñas de Rio Arriba on the terms of a Consent Order addressing the WSRA water right.

The proposed consent order is subject to formal approval by the Assistant Attorney General (AAG) for the Environment and Natural Resources Division of the Department of Justice (DOJ). Before the Consent Order can be reviewed by the AAG, it must be approved by both of the river administering agencies (the Forest Service (FS) and the Bureau of Land Management (BLM)), as well as by their counsel (the Office of General Counsel (OGC) for the FS and the Solicitor's Office (SOL) for the BLM). It

then must be recommended by Counsel for the United States in this proceeding and subordinate officials within the DOJ.

Counsel has obtained written approvals from the FS, BLM and OGC. Approval by the SOL has been delayed by turnover within that office. However, counsel has been informed that he should receive the approval memo within the next week. Once that is received, Counsel will draft a recommendation memo and submit it for review and approval by DOJ officials. Counsel anticipates the approval entire process can be completed within approximately 90 days, by February 4, 2011. Should that not be the case, Counsel will report to the Court.

DATED this 8<sup>th</sup> day of October, 2010.

Respectfully Submitted,

Ignacia S. Moreno  
Assistant Attorney General

/s/ David W. Gehlert  
DAVID W. GEHLERT, Trial Attorney  
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Counsel for the United States

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on October 8, 2010, I filed the foregoing  
*UNITED STATES' STATUS REPORT ON WILD AND SCENIC RIVER SETTLEMENT*  
electronically through the CM/ECF system, which caused parties or counsel to be served  
by electronic means, as more fully reflected on the Notice of Electronic Filing.

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/s/

DAVID W. GEHLERT